

APPENDIX D

RESPONSES TO THE NOTICE OF PREPARATION



Gray Davis
GOVERNOR

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse



Tal Finney
INTERIM DIRECTOR

Notice of Preparation

April 24, 2002

To: Reviewing Agencies

Re: Sempra Communications Telecommunications Development Program
SCH# 2002042114

Attached for your review and comment is the Notice of Preparation (NOP) for the Sempra Communications Telecommunications Development Program draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

John Boccio
Public Utilities Commission
436 14th Street, Suite 600
Oakland, CA 94610

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Katie Shulte Joung
Associate Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2002042114
Project Title Sempra Communications Telecommunications Development Program
Lead Agency Public Utilities Commission

Type NOP Notice of Preparation
Description Sempra Communications has specifically requested a full facilities-based Certificate of Public Convenience and Necessity (CPCN) to implement a Telecommunications Development Program (the "Project") primarily in urbanized areas throughout 15 counties in the State of California. As a Program EIR, the report will not focus on a specific project or projects, but instead present reasonable assumptions about the overall types and levels of activities that Sempra Communications could undertake under the proposed CPCN within an identified project area.

Lead Agency Contact

Name	John Boccio		
Agency	Public Utilities Commission		
Phone	510/836-5066	Fax	
email			
Address	436 14th Street, Suite 600		
City	Oakland	State CA	Zip 94610

Project Location

County Alameda, Contra Costa, Fresno, Imperial, Los Angeles, Marin, ...
City
Region
Cross Streets
Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways
Airports
Railways
Waterways
Schools

Land Use Project is programmatic in nature for primarily urbanized areas within 15 counties of multiple land use/zoning/general plan use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Noise; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Fish and Game, Headquarters; Department of Fish and Game, Region 2; Department of Fish and Game, Region 3; Department of Fish and Game, Region 4; Department of Fish and Game, Region 5;

NOP Distribution List

Santa Clara, Santa Cruz

Alameda, Contra Costa, Fresno, Inyo, Kern, Monterey, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, Ventura, Yuba

Resources Agency

Fish and Game

☐ Colorado River Board
Gerald R. Zimmerman

☐ Dept. of Transportation 10
Chris Sayre
District 10

☒ Resources Agency
Nadell Gayou

☒ Dept. of Fish & Game
Scott Flint
Environmental Services Division

☐ Tahoe Regional Planning
Agency (TRPA)
Lyn Barnett

☐ Dept. of Transportation 11
Lou Salazar
District 11

☐ Dept. of Boating & Waterways
Bill Curry

☐ Dept. of Fish & Game 1
Donald Koch
Region 1

☐ Office of Emergency Services
John Rowden, Manager

☒ Dept. of Transportation 12
Allen Kennedy
District 12

☐ California Coastal
Commission
Elizabeth A. Fuchs

☒ Dept. of Fish & Game 2
Barky Curtis
Region 2

☐ Delta Protection Commission
Debbie Eddy

☐ Business, Trans. & Housing
Cathy Craswell
Housing Policy Division

☒ Dept. of Conservation
Roseanne Taylor

☒ Dept. of Fish & Game 3
Robert Floerke
Region 3

☐ Santa Monica Mountains
Conservancy
Paul Edelman

☐ California Highway Patrol
Lt. Julie Page
Office of Special Projects

☐ Dept. of Forestry & Fire
Protection
Allen Robertson

☒ Dept. of Fish & Game 4
William Laudermilk
Region 4

☐ Dept. of Transportation
District 1

☐ Dept. of Transportation
Ron Helgeson
Caltrans - Planning

☐ Office of Historic
Preservation
Hans Krautberg

☒ Dept. of Fish & Game 5
Don Chadwick
Region 5, Habitat Conservation
Program

☐ Dept. of Transportation
District 2

☐ Dept. of General Services
Robert Sleepy
Environmental Services Secic

☒ Dept. of Parks & Recreation
B. Noah Tilgman
Environmental Stewardship
Section

☒ Dept. of Fish & Game 6
Gabrina Gatchel
Region 6, Habitat Conservation
Program

☐ Dept. of Transportation
District 3

☐ Air Resources Board
Airport Projects
Jim Lerner

☐ Reclamation Board
Pam Bruner

☒ Dept. of Fish & Game 7
Jeff Pulverman
District 4

☐ Dept. of Transportation
District 5

☐ California Integrated Waste
Management Board
Sue O'Leary

☐ S.F. Bay Conservation &
Dev't. Comm.
Steve McAdam

☐ Dept. of Fish & Game 8
Vicki Roe
Local, Development Review,
District 2

☐ Dept. of Transportation
District 6

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Dept. of Water Resources
Resources Agency
Nadell Gayou

☐ Dept. of Fish & Game 9
Tammy Allen
Region 9, Inyo/Mono, Habitat
Conservation Program

☐ Dept. of Transportation
District 7

☐ Industrial Projects
Kurt Karperos
Mike Tolstrup

☐ Dept. of Fish & Game M
Tom Napoli
Marine Region

☐ Dept. of Transportation
District 8

☐ Dept. of Transportation
District 9

☐ California Integrated Waste
Management Board
Sue O'Leary

☐ Health & Welfare
Wayne Hubbard
Dept. of Health/Drinking Water

☐ Dept. of Fish & Game 10
Debbie Treachway
Comm.

☐ Dept. of Transportation
District 10

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ Public Utilities Commission
Ken Lewis

☐ Dept. of Transportation
District 11

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 12

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 13

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 14

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

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Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 15

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 16

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 17

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 18

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

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Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 19

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 20

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 21

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 22

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 23

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 24

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 25

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra

☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture

☐ State Lands Commission
Betty Silva

☐ Dept. of Transportation
District 26

☐ State Water Resources Conti
Board
Diane Edwards
Division of Clean Water Progra



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

MAY 15 2002

Regulatory Branch

SUBJECT: File Number 26894S

Mr. John Boccio
California Public Utilities Commission (CPUC)
Environmental Science Associates
436 14th Street, Suite 600
Oakland, California 94612

Dear Mr. Boccio:

Your request for comments on the Notice of Preparation for a Program Environmental Impact Report (PEIR) concerning the Telecommunications Development Program of Sempra Communications within the fifteen designated California counties was received on May 9, 2002.

The installation of underground ducts, construction of regenerator and OP-AMP stations, access road construction, and the creation of temporary culverts are activities that may impact Waters of the United States, and thus require review by the Corps of Engineers. The linear aspect of this project falls under the jurisdiction of all three districts of the Corps of Engineers in California. Upon receipt of your application, the Corps of Engineers would normally evaluate the potential impacts of your project within each district, and designate one district office as your project manager.

All proposed work and/or structures extending bayward or seaward of the line on shore reached by: (1) mean high water (MHW) in tidal waters, or (2) ordinary high water in non-tidal waters designated as navigable waters of the United States, must be authorized by the Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Additionally, all work and structures proposed in unfilled portions of the interior of diked areas below former MHW must be authorized under Section 10 of the same statute.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

Your proposed work appears to be within our jurisdiction and a permit may be required. Application for Corps authorization should be made to this office using the application form in the enclosed pamphlet. To avoid delays it is essential that you enter the file number at the top of this letter into Item No. 1. The application must include plans showing the location, extent and character of the proposed activity, prepared in accordance with the requirements contained in this

pamphlet. You should note, in planning your work, that upon receipt of a properly completed application and plans, it may be necessary to advertise the proposed work by issuing a public notice for a period of 30 days.

If an individual permit is required, it will be necessary for you to demonstrate to the Corps that your proposed fill is necessary because there are no practicable alternatives, as outlined in the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines. A copy is enclosed to aid you in preparation of this alternative analysis.

Should you have any questions regarding this matter, please call Corrie Veenstra of our Regulatory Branch at 415-977-8717. Please address all correspondence to the Regulatory Branch and refer to the file number at the head of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edward A. Wylie". The signature is fluid and cursive, with the first name "Edward" being more legible than the last name "Wylie".

Edward A. Wylie
Chief - South Section

Enclosures

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street
Oakland, California 94612

Dear Mr. Boccio:

Staff for the Department of Water Resources has reviewed California Public Utilities Commission Application No. 00-02-020 and has the following comments:

Those portions of Sempra Communications Telecommunications Development Program that are within Sacramento and Fresno Counties may encroach into waterways that are within the jurisdiction and under the authority of The Reclamation Board. The California Code of Regulations, Title 23, Waters, Article 3, require that a Board permit be obtained before the start of any work including excavation and construction activities where The Reclamation Board has jurisdiction.

If you have any questions, please call me at (916) 653-0402, or Steve Dawson at (916) 653-9898.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sterling Sorensen'.

Sterling Sorensen, Engineering Associate
Floodway Protection Section

DEPARTMENT OF TRANSPORTATION
TRANSPORTATION PLANNING – MS 32

1120 N STREET
P.O. BOX 942874
SACRAMENTO, CA 94274-0001

PHONE (916) 653-0808
FAX (916) 653-1447
TDD (916) 654-4014



May 22, 2002

California Public Utilities Commission
ATTN: John Boccio, Project Manager
SCH# 2002042114 – Sempra Communications
505 Van Ness Avenue
San Francisco, CA 94102

Subject: Caltrans Review of State Clearinghouse #2002042114 Notice of Preparation (NOP) for
Sempra Communications Telecommunications Development Program throughout
various counties within the State of California

Dear Mr. Boccio:

Thank you for the opportunity to review and comment on this Notice of Preparation (NOP) for Sempra Communications Telecommunications Development Program throughout various counties within the State of California. The California Department of Transportation (Caltrans) has reviewed this document with our Intergovernmental Review (IGR/CEQA) district branches. I have attached the memorandum from our District 3 IGR unit. We have the following general comments:

- Any encroachment in Caltrans right of way will require a Caltrans encroachment permit. Longitudinal encroachments on restricted access right of way (i.e. primarily freeways) are generally not allowed. There is an appeal process that allows exceptions to this general rule. Caltrans encroachment permits are discretionary and not ministerial. Timely application for Caltrans encroachment permits must be made to the District Encroachment Permit Engineer having jurisdiction (district jurisdictions are shown on the attached map). Sufficient time must be allowed for the Permit Engineer and the district Environmental Branch to review the project and its impacts to Caltrans right of way. These reviews might indicate the need for additional studies and clearances.
- In addition to application with the District Encroachment Permit Engineer, whenever encroachment involves a Caltrans bridge structure, please submit the necessary information to Nick Burmas of our headquarters Division of Structures Hydrology. Mr. Burmas can be reached at (916) 227-9478.

Mr. John Boccio
Sempra Communications
May 22, 2002
Page 2

Please contact the appropriate district personnel as identified in the attached memorandums or office as identified on the attached map with the exception of the Division of Structures Hydrology. All other questions may be directed to me at (916) 653-0808.

Sincerely,



Richard Felkins, Coordinator
Caltrans Intergovernmental
Review Program

Attachments

cc: Districts 3-8, 11 and 12 IGR Units
Nick Burmas, HQ Structures Hyd. MS 9
Paul Cavanaugh, HQ Encroachment Permits
Katie Schulte Joung, SCH# 2002042114
ESA Associates, 436 14th Street, Oakland, CA

HQ Transportation Planning
P.O. Box 942874
Sacramento, CA 94274-0001 *
Phone: 916-653-1637

Caltrans Planning Contacts

District 1
1656 Union Street
P. O. Box 3770
Eureka, CA 95502-3770 *
Phone: (707) 445-6333

District 4
P.O. Box 23660
Oakland, CA 94623-0660 *
Phone: (510) 285-6196

District 7
120 South Spring Street
Los Angeles, CA 90012
Phone: (213) 897-4279

District 10
1976 East Charter Way
P.O. Box 2048
Stockton, CA 95201
Phone: (209) 948-7906

District 2
1657 Riverside Drive
P.O. Box 496073
Redding, CA 96049-6073
Phone: (530) 225-3484

District 5
San Luis Obispo,
CA 93401-5415*
Phone: (805) 549-3130

District 8
464 West Fourth Street
San Bernardino, CA 92401
Phone: (909) 383-4147

District 11
2829 Juan Street
San Diego, CA 92186-5406 *
Phone: (619) 688-6460

District 3
703 B Street
P.O. Box 911
Marysville, CA 95901 *
Phone: (530) 741-4277

District 6
1352 West Olive Avenue
P.O. Box 12616
Phone: (559) 488-4260

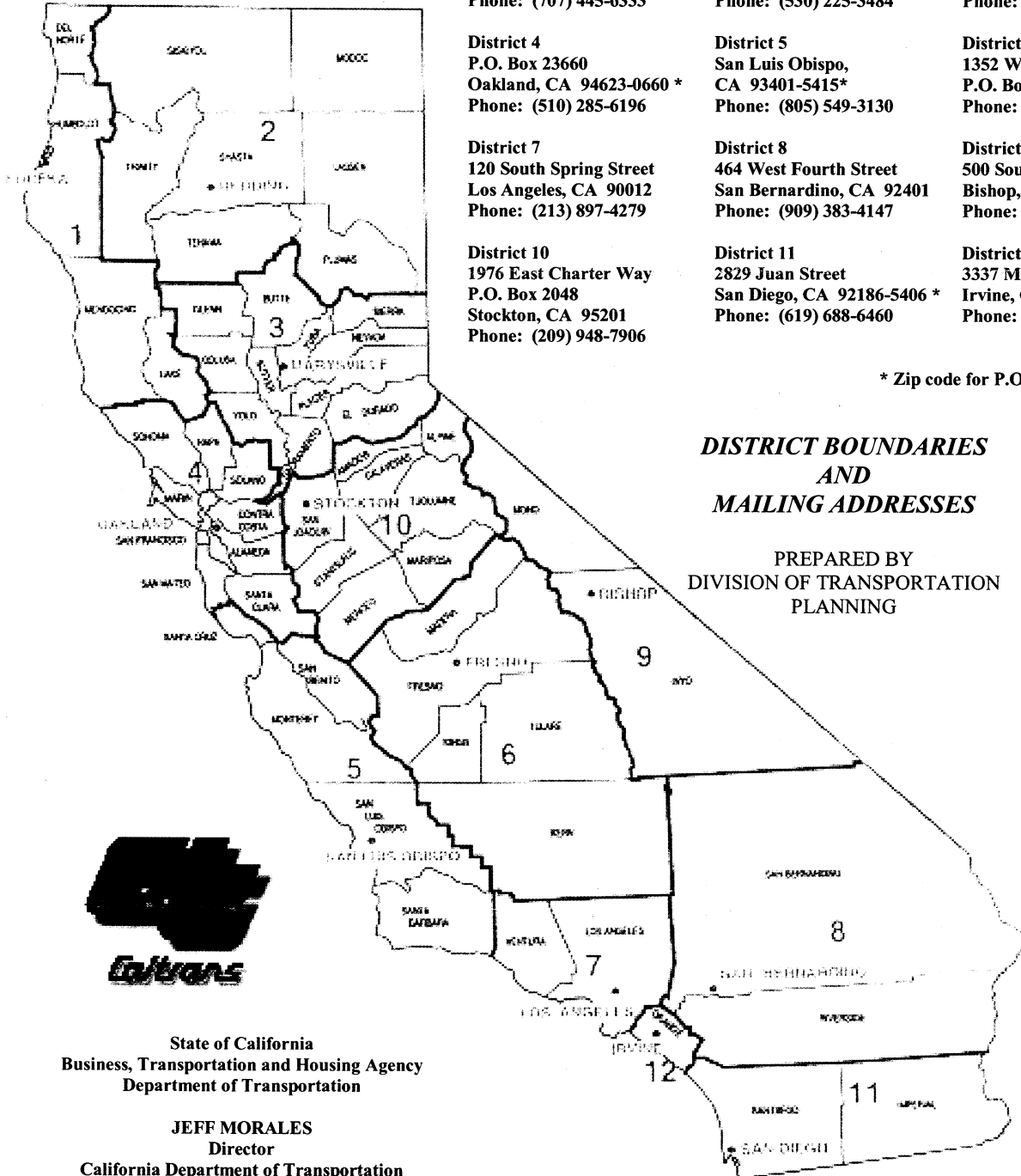
District 9
500 South Main Street
Bishop, CA 93514
Phone: (760) 872-0691

District 12
3337 Michelson Dr, #380
Irvine, CA 92612-8894
Phone: (949) 724-2255

* Zip code for P.O. Box

DISTRICT BOUNDARIES AND MAILING ADDRESSES

PREPARED BY
DIVISION OF TRANSPORTATION
PLANNING



State of California
Business, Transportation and Housing Agency
Department of Transportation

JEFF MORALES
Director
California Department of Transportation
1120 N Street
P.O. Box 942874
Sacramento, CA 94274-0001 *
Phone: (916) 654-2852

MEMORANDUM

To: Richard Felkins
Transportation Planning Program

Date: May 20, 2002

File: 02SAC0049
03-SAC-Various
Sempra Communications
Telecommunications
Development Program
Notice of Preparation
SCH#2002042114

From: DEPARTMENT OF TRANSPORTATION
District 3

Subject: Comments Regarding the Sempra Communications Telecommunications Development Program

District 3 comments regarding the proposed 15 County scoped project that includes Sacramento County are as follows:

- The DEIR stage of such a large scoped project would still need to provide high enough "level of detail" information regarding the proposed fiber optic cable alignments, facilities, and mapping to enable a clear analysis of potential impacts to the State highway system. Supplemental detailed information should be provided to Caltrans District 3 for the relevant Counties (ie. Sacramento) and portion of the project within our boundaries.
- The Sempra Communications, Inc. fiber optic system should only be installed on conventional highways and frontage roads. However, transverse crossings of freeways are allowed if no poles are placed within State right of way and no service boxes or manholes are placed on or near interchange ramps. The minimum depth of cover for the fiber optic cable must be 914 mm (36 inches).
- The precise location of the fiber optic cable installation in relation to State highway right of way lines and structures should be provided to Caltrans on "As-Built" plans.
- Any work performed within Caltrans right of way will require an encroachment permit. For a permit application and assistance within District 3, please contact Bruce Capaul at (530) 741-4408.

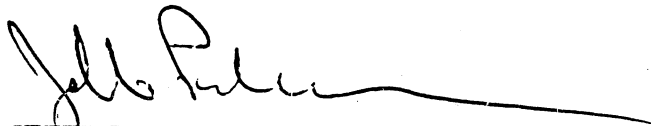
Mr. Richard Felkins

May 20, 2002

Page 2

Please provide our office with copies of any further action regarding this project. If you have any questions regarding these comments, please contact Ken Champion at (916) 324-6642.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Pulverman', with a long horizontal flourish extending to the right.

JEFFREY PULVERMAN, Chief
Office of Regional Planning

c: Katie Shulte Joung, State Clearinghouse

DEPARTMENT OF TRANSPORTATION

P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
(510) 286-4454 TDD



*Flex your power!
Be energy efficient!*

May 22, 2002

CC-General
CC000202
SCH# 2002042114

Mr. John Boccio
Public Utilities Commission
436 14th Street, Suite 600
Oakland, CA 94610

Dear Mr. Boccio:

Sempra Communications Telecommunications Development Program – Notice of Preparation for a Program Environmental Impact Report

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above-referenced project. We have reviewed the Notice of Preparation for a Program Environmental Impact Report (PEIR), and offer the following comments:

1. This project involves construction and installation of fiber optic cables, and longitudinal encroachments upon State right-of-way (ROW) are against the Department's policy.
2. Please include a discussion of potential impacts to State transportation facilities, including any construction impacts, in the PEIR.
3. Please be advised that any work or traffic control measures proposed within the ROW will require an encroachment permit. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans, clearly indicating State ROW, need to be submitted to the following address:

Sean Nozzari, District Office Chief
Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

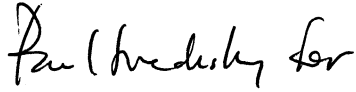
We look forward to reviewing the PEIR for this project and we do expect to receive a copy from the State Clearinghouse, but in order to expedite our review, you may send two copies in advance to:

Rick Kuo
Office of Transportation Planning B
Department of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Mr. Boccio
May 22, 2002
Page 2

Should you require further information or have any questions regarding this letter, please call Rick Kuo, of my staff at (510) 286-5988.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean C. R. Finney". The signature is fluid and cursive, with the first name "Jean" being the most prominent.

JEAN C. R. FINNEY
District Branch Chief
IGR/CEQA

c: Katie Shulte Joung (State Clearinghouse)



(916) 653-6725

May 7, 2002

John Boccio
Public Utilities Commission
436 14th Street, Suite 600
Oakland, California 94610

Re: Sempra Communications Telecommunications Development Program
SCH# 2002042114

Dear Mr. Boccio:

The Natural Resources Division of the California Department of Parks and Recreation (State Parks) appreciates the opportunity to comment on the Notice of Preparation (NOP) for the Sempra Communications Telecommunications Development Program draft Environmental Impact Report (EIR).

State Parks is a trustee agency as defined by the California Environmental Quality Act (CEQA). State Parks' mission in part is to provide for the health, inspiration and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation.

We have an interest and concern about all projects in the vicinity of state parks throughout California. At a minimum, any construction or other actions contemplated by the project within state park units would require a Right of Entry Permit to be issued by State Parks.

A number of state park units, perhaps as many as 50, appear to be located in the Project Area shown in Figure 1, Project Area Overview. However, Figure 1 contains insufficient detail to determine which state parks may be impacted by the project. I have enclosed a copy of the California State Parks Official Map for your review. If you will provide us with more specific information about the location of the project relative to state park units in the Project Area, we can provide you with constructive comments and recommendations about the project within a reasonable period.

If, in fact, the project has the potential of impacting units of California's State Park System, we would like the opportunity to provide you with our concerns, if any, but cannot do so without greater project detail. If you have questions, please do not hesitate to contact Nancy Fuller at the above number or nfull@parks.ca.gov.

Sincerely,

Richard G. Rayburn, Chief
Natural Resources Division

cc: State Clearinghouse



California Regional Water Quality Control Board

Central Valley Region

Winston H. Hickox
Secretary for
Environmental
Protection

Robert Schneider, Chair



Gray Davis
Governor

Fresno Branch Office

Internet Address: <http://www.swrcb.ca.gov/~rwqcb5>
3614 East Ashlan Avenue, Fresno, California 93726
Phone (559) 445-5116 • FAX (559) 445-5910

13 May 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Association
436 14th Street, Suite 600
Oakland, CA 94612

NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT, SEMPRA COMMUNICATIONS PROJECT, APPLICATION NO. 00-02-020, IN FIFTEEN COUNTIES

We received your request for comments on the Notice of Preparation of a Program Environmental Impact Report for the Sempra Communications Project on 25 April 2002. The proposed project is to gain approval for a full facilities-based Certificate of Public Convenience and Necessity to implement a Telecommunications Development Program primarily in urbanized areas throughout 15 counties in the State of California. The project includes installation of fiber optic cable on transmission line towers, overhead wood utility poles, and in underground ducts, installation of associated facilities (e.g., manholes, handholes, and assist points), and construction of regenerator and amplifier stations to house electrical equipment required to provide customers with access to the telecommunications market.

The Program Environmental Impact Report needs to include a description of all solid and/or liquid waste that might be generated by the proposed project and how it will be handled, treated, and disposed of. The document also needs to consider how storm water drainage may be affected by the proposed project and identify mitigation measures to protect water quality.

Pursuant to California Water Code, Section 13260, all persons proposing to discharge waste that may affect the quality of waters of the state must submit to the Regional Board a Report of Waste Discharge, following which the Regional Board will either prescribe waste discharge requirements (WDRs) or issue a waiver. If WDRs are prescribed, they will incorporate measures to mitigate potentially significant impacts to water quality and potential public nuisances that are due to the treatment or discharge of waste.

If construction associated with the project will disturb more than five acres, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity may be required. Before construction begins, the proponent must submit a Notice of Intent to comply with the permit to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan must be prepared.

California Environmental Protection Agency



Recycled Paper

If the project will involve the discharge of dredged or fill material into navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the US Army Corps of Engineers. If a Section 404 permit is required by the Corps, the Board will review the permit application to ensure that discharge will not violate water quality standards pursuant to Section 401 of the Clean Water Act. For more information, contact the Sacramento District of the Corps of Engineers at (916) 557-5250.

If the project will involve the storage of petroleum products in above ground tanks, with a single tank capacity of greater than 660 gallons or a cumulative capacity of greater than 1,320 gallons, the proponent will be subject to State above ground petroleum tank regulations. The proponent must file a storage statement with the State Water Resources Control Board, pay a facility fee, and prepare a federal spill prevention control and countermeasure plan.

Thank you for the opportunity to comment on this Notice of Preparation of a Program Environmental Impact Report. If you have any questions regarding our comments, please call me at (559) 445-6046.



LISA GYMER
Environmental Scientist

California Environmental Protection Agency



Recycled Paper



California Regional Water Quality Control Board

Central Valley Region

Winston H. Hickox
Secretary for
Environmental
Protection

Robert Schneider, Chair



Gray Davis
Governor

Sacramento Main Office

Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

14 May 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, California 94612

***PROPOSED PROJECT REVIEW, CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA),
NOTICE OF PREPARATION FOR CPCN FOR SEMPRA COMMUNICATIONS TO INSTITUTE
A TELECOMMUNICATIONS PROGRAM, CONTRA COSTA AND SACRAMENTO COUNTY***

As a Responsible Agency, as defined by CEQA, by the authority provided in Division 7 of the California Water Code (Porter Cologne Water Quality Control Act) and the Federal Clean Water Act and its amendments, we have reviewed the Notice of Preparation for CPCN for SEMPRA Communications to Institute a Telecommunications Program. Based on our review, we have the following comments regarding the proposed project.

Storm Water

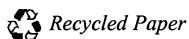
A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order No. 99-28-DWQ is required when a site involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation that results in soil disturbances of at least five acres of total land area. Construction activity that involves soil disturbances on construction sites of less than five acres and is part of a larger common plan of development or sale, also requires a permit. A Construction Activities Storm Water General Permit must be obtained prior to construction.

The Project Design and Installation Methods include underground construction and installation of cable that is protected by conduit/innerduct which indicates linear construction. Please visit our website located at: <http://www.swrcb.ca.gov/stormwtr/linearfaq.html> for answers to frequently asked questions regarding linear construction.

Wetlands and/or stream course alteration

Section 401 of the federal Clean Water Act requires any project that impacts waters of the State (such as streams and wetlands) to file a 401 Water Quality Certification application with this office. The applicant must certify the project will not violate state water quality standards. Projects include, but are

California Environmental Protection Agency



not limited to, stream crossings, modification of stream banks or stream courses, and the filling or modification of wetlands. If a U.S. Army Corp of Engineers (ACOE) permit is required for the project, then Water Quality Certification must be obtained prior to initiation of project activities. The proponent must follow the ACOE 404(b)(1) Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:

1. **Avoidance** (Is the project the least environmentally damaging *practicable* alternative?)
2. **Minimization** (Does the project minimize any adverse effects to the impacted wetlands?)
3. **Mitigation** (Does the project mitigate to assure a no net loss of functional values?)

If, after avoidance and minimization guidelines are considered and wetland impacts are still anticipated:

- determine functional losses and gains (both permanent and temporal; both direct and indirect)
- conduct adequate baselines of wetland functions including vegetation, wildlife, hydrology, soils, and water quality
- attempt to create/restore the same wetland type that is impacted, in the same watershed
- work with a regional context to maximize benefits for native fish, wildlife, vegetation, as well as for water quality, and hydrology
- use native species and materials whenever possible
- document all efforts made to avoid the minimize adverse wetland impacts
- be prepared to develop performance criteria and to track those for between 5 to 20 years
- be prepared to show project success based on achieving wetland functions
- if the project fails, be prepared to repeat the same process (via financial assurance), with additional acreage added for temporal losses
- specify how the mitigation project will be maintained in perpetuity and who will be responsible for the maintenance

If the project includes in-stream construction such as dredging, rip rap installation, or the construction of piers or bridge footings, then the proponent is required to comply with the following:

1. The Discharger shall notify the Board in writing of the start of any in-water activities.
2. Except for activities permitted by the U.S. Army Corps under §404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.

3. The discharge of petroleum products or other excavated materials to surface waters is prohibited.
4. Activities shall not cause turbidity increases in surface waters to exceed:
 - (a) where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU;
 - (b) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - (c) where natural turbidity is between 50 and 100 NTUs, increase shall not exceed 10 NTUs;
 - (d) where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTU over background turbidity as measured in surface waters 300 feet downstream from the working area. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected.

5. Activities shall not cause settleable matter to exceed 0.1 ml/l in surface waters as measured in surface waters 300 feet downstream from the project.
6. Activities shall not cause visible oil, grease, or foam in the work area or downstream.
7. All areas disturbed by project activities shall be protected from washout or erosion.
8. In the event that project activities result in the deposition of soil materials or creation of a visible plume in surface waters, the following monitoring shall be conducted immediately upstream and 300 feet downstream of the work site and the results reported to this office within two weeks:

<i>Parameter</i>	<i>Unit</i>	<i>Type of Sample</i>	<i>Frequency of Sample</i>
Turbidity	NTU	Grab	Every 4 hours during in water work
Settleable Material	ml/l	Grab	Same as above.

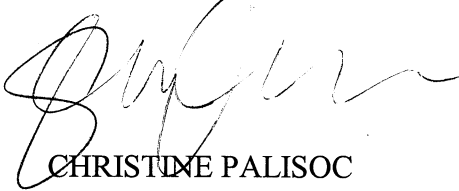
9. The Discharger shall notify the Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.
10. The Discharger shall notify the Board immediately of any spill of petroleum products or other organic or earthen materials.
11. The Discharger shall comply with all Department of Fish and Game 1600 requirements for the project.

Dewatering Permit

The proponent may be required to file a Dewatering Permit covered under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit, Order No. 5-00-175 (NPDES CAG995001) provided they do not contain significant quantities of pollutants and are either (1) four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 mgd:

- a. Well development water
- b. Construction dewatering
- c. Pump/well testing
- d. Pipeline/tank pressure testing
- e. Pipeline/tank flushing or dewatering
- f. Condensate discharges
- g. Water Supply system discharges
- h. Miscellaneous dewatering/low threat discharges

For more information, please visit the storm water website at: <http://www.swrcb.ca.gov/stormwtr> or if you have any questions regarding the above information, please contact me at (916) 255-3063.



CHRISTINE PALISOC
Environmental Scientist
Storm Water Unit

County of Santa Clara

Office of the County Executive

County Government Center, East Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-2424



May 22, 2002

John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: Comments on NOP for Sempra Communications CPCN (A.00-02-020)

Dear Mr. Boccio:

The County of Santa Clara appreciates the opportunity to provide comments on the Notice of Preparation ("NOP") for the Program EIR to be prepared by the CPUC for Sempra Communications' full facilities based CPCN.

The County has land use authority over all unincorporated land in the County of Santa Clara. Most of this land is rural; a small percentage is urbanized. The County owns approximately 43,000 acres of parkland and owns and/or manages approximately 240 miles of recreational trails. We also own and/or maintain many roads and streets throughout the County, both in urban and rural areas. Consequently, we are concerned about the project's potential impacts on these resources. Our specific comments and concerns are as follows.

Specific Facility Routes/Corridors

The NOP does not provide any information about where the proposed facilities might be located. The PEIR should identify all potential routes/corridors as well as alternative routes. If this information is not provided, the County and other members of the public will not be able to fully understand the project's potential impacts and provide useful comments regarding the adequacy of the PEIR and proposed mitigation measures.

Biological Resources

County lands are home to a wide variety of endangered, threatened and sensitive plant and animal species, including riparian and terrestrial species (e.g., steelhead, bay checkerspot butterfly). Due to possible impacts to these species from development pressures, the County,

City of San Jose, and the Santa Clara Valley Water District recently committed to the U.S. Fish and Wildlife Service to prepare a Habitat Conservation Plan ("HCP") pursuant to the federal Endangered Species Act.

The PEIR should carefully analyze the project's impacts to these species. The primary mitigation should be avoidance of the species and their habitats, even if avoidance increases project costs. For example, where underground facilities must cross creeks, every effort should be made to avoid impacting the creek and the riparian corridor surrounding the creek. This can often be accomplished through directional boring techniques (vs. trenching).

If impacts cannot be completely avoided, species impacts should be fully mitigated. The NOP states that "programmatic" mitigation measures will be developed for biological impacts. Species mitigation is not a "one size fits all" proposition. It is difficult to analyze species impacts and develop appropriate mitigation without evaluating the unique ecological attributes of the impacted area. We therefore question whether programmatic measures are appropriate. The applicant should also be required to fully comply with the forthcoming HCP.

Avoidance of Parklands

As stated above, the County owns approximately 43,000 acres of parkland. The NOP states that the applicant will avoid placing new "staging areas" on public lands whenever feasible, but does not explain whether any permanent facilities would be located on public lands.

It has been our experience that public utilities and other service providers often choose routes that run through parkland and other public lands because they believe the land is cheaper and/or it will be easier to acquire the necessary rights-of-way. But placing these facilities on public lands, even when underground, can significantly impact the resources on these lands and interfere with the recreational experience of park users. Our parklands contain many creeks and other sensitive habitats, which provide refuge to species that have been displaced due to the rapid and continuing urbanization of our County.

We strongly encourage the CPUC to evaluate alternatives that avoid parklands and other public lands.

Roadway/Bridge Impacts

The County maintains hundreds of miles of roads, streets and related facilities such as bridges and culverts. The PEIR should clearly identify the specific locations where facilities

would be installed, the precise nature of those facilities (*e.g.*, above-ground vs. underground) and the construction techniques to be used (*e.g.*, excavation/ trenching) at the various locations. This information is needed to adequately assess impacts on traffic flow/disruption and the County's transportation facilities. Excavation of roads often weakens roadways and shortens their useful life. We are aware, for example, that the City of San Francisco recently passed a "trench cut" ordinance requiring payments to the City for damage to roads from excavation.

All attempts should be made to avoid these impacts. If they cannot be avoided, then the applicant should be required to mitigate all associated impacts including, where appropriate, reimbursing the affected agencies for any damages (short- and long-term) sustained to their roadways and other facilities. The applicant should also be required to cooperate closely with local authorities during the planning and construction process.

Aesthetic/Visual Impacts

Much of the County's unincorporated land is either undeveloped or developed at very low densities, particularly on the hillsides defining the valley on the east and west. These lands provide scenic relief from the pressures of living and working in Silicon Valley, and County residents zealously guard this amenity. As a result, the County has protected the aesthetic values of these lands through rigorous General Plan policies and zoning requirements. We have also experienced the rapid proliferation of telecommunication facilities such as cellular towers, antennae and other support facilities, which now dot the Valley landscape.

Project facilities should avoid sensitive viewshed areas such as hillsides and prominent open space areas. The PEIR should also consider requiring co-location of facilities where possible to mitigate aesthetic/visual impacts.

Agricultural Land

With increasing pressure to provide housing for the demands generated by the Silicon Valley economy, the County has lost hundreds of thousands of acres of agricultural land and these losses are continuing. The PEIR should evaluate potential impacts to *all* agricultural land, not just prime land. For example, much of the unincorporated land in the eastern and southern parts of the County is non-prime. But this land currently supports, or is capable of supporting, livestock grazing. We have also seen an increase in the amount of land used for growing grapes in the County.

Where agricultural lands cannot be avoided, project facilities should be constructed so they will not interfere with the agricultural use of the land. For example, placing facilities underground and at a depth that will not preclude or interfere with working the soil for agricultural purposes.

Procedural Issues

We would like more information about the environmental review, if any, to be done for specific projects undertaken pursuant to the CPCN. The NOP states that the CPUC would need to issue a Notice-to-Proceed ("NTP") before construction of specific projects would be authorized. Please explain whether and under what circumstances this NTP process would include any additional environmental review, and whether local agencies would be consulted.

Conclusion

Thank you for giving us the opportunity to submit comments on the NOP. Please contact us if you need any additional information. Please also place us on the interested party "service list - info only" for all materials, as well as the interested party list for the PEIR.

Please send all information to:

Sally Logothetti
Program Manager
COUNTY OF SANTA CLARA
70 West Hedding Street, 11th Floor
San Jose, CA 95110

Sincerely,



PETER KUTRAS, JR.
Assistant County Executive



City of Alameda • California

May 9, 2002

Mr. John Boccio
CPUC Environmental Project Manager
C/O Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: Notice of Preparation of Draft Environmental Impact Report for Sempra Communications to Institute a Telecommunications Development Program for Fifteen Counties. Application No. 00-02-020

Dear Mr. Boccio:

Thank you for the opportunity to review and provide comments on the subject Notice of Preparation for the above referenced project. The City of Alameda offers the following comments on the content of the Draft EIR. The Draft EIR should:

1. Describe the proposed extent of the project within the City of Alameda. Specifically, the EIR should explain:
 - a. Where and when work is proposed to be conducted in the City of Alameda,
 - b. Whether the applicant proposes to place facilities underground or overhead,
 - c. Whether the applicant proposes to use existing utility facilities (poles, towers, etc.) and how and where existing streets will be use and repaired,
 - d. Whether the project includes reception and broadcast of wireless communication (cellphone and PCs phone) signals
 - e. Describe how the applicant proposes to coordinate the proposed work with the City's Planning and Building Department, Public Works Department, and Development Services Department.
 - f. How will the project impact the work already done by Alameda Power & Telecom?
 - g. How will the project affect the city's existing fiber network?
 - h. What is the proposed usage of this fiber?
2. Clearly explain the relationship between the proposed project and future discretionary actions within each jurisdiction. Specifically, if the project is not sufficiently detailed at this stage to determine the exact location of all future work in each jurisdiction, then the EIR should explain how and when that level of detail will be developed and at what point in the process the local jurisdiction will have the opportunity to review those details.

Thank you again for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Thomas", is written over a horizontal line.

Andrew Thomas
Supervising Planner
Planning and Building Department



May 24, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

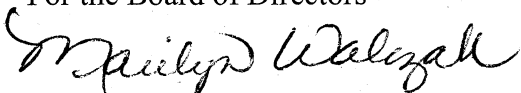
Re: Notice of Preparation CPCN for SEMPRA Communications to Institute a
Telecommunications Program

Dear Mr. Boccio:

Enclosed please find comments that the Aliso Viejo Community Association (AVCA) has on the above noted project. Please note that without knowing the specific locations of the proposed project it is difficult to make specific comments. Therefore, since AVCA could substantially be impacted since it maintains most of the areas within the Right-of-Way within the City of Aliso Viejo we reserve the right to comment further should any association property be affected.

Please do not hesitate to contact me at the number listed below.

Sincerely,
For the Board of Directors


Marilyn Walczak, CCAM®, PCAM®
General Manager

Enclosure

c: Board of Directors
Utilities File



**NOTICE OF PREPARATION
CPCN FOR SEMPRA COMMUNICATIONS TO INSTITUTE A
TELECOMMUNICATIONS PROGRAM
COMMENTS**

The information provided in the Notice of Preparation is general and broad. In order to know if and how the proposed project will affect Aliso Viejo Community Association (AVCA) additional information is needed, such as proposed locations.

The following are some basic concerns/questions that should be considered/addressed.

1. If the proposed project is located in easements granted to Southern California Edison (SCE), does SEMPRA need an easement for access, maintenance, installation, repairs, construction of facilities, etc? Facilities can include up to a 12' x 30' regenerator/OP-AMP prefabricated buildings on concrete pads. (The buildings would be fenced with an overhead security light and small light over the door. When necessary, a diesel generator and/or battery banks and an above ground storage tank for fuel may be required.)
2. Can SEMPRA construct a building on AVCA common area and restrict access to members? (CC&R's – Article V, Sections 5.02 & 5.04)
3. Aesthetics: What would the prefabricated buildings look like? Should the Master Architectural Control Committee review in accordance with the governing documents? Would the area around the proposed prefabricated buildings be landscaped? If so, SEMPRA would need to separately irrigate (and provide electrical pedestal) and maintain the area in question.
4. Noise: How will the owners adjacent any proposed regenerator OP-AMP building be affected? What is the decibel level of the proposed generators? Are the owners entitled to the right to quiet enjoyment of their property? If so, would the proposed generator and/or battery banks affect their rights?
5. Storage tank for fuel: Pursuant to Article X, Section 10.11 of the AVCA CC&R's, "No activities shall be conducted on any portion of the Subject Property, and no Improvements shall be constructed on any Lot which are or might be unsafe or hazardous to any Person or property. Without limiting the generality of the foregoing, no firearms shall be discharged on the Subject Property and no open fires shall be lighted or permitted on the Subject Property except in a contained barbecue unit while attended and in use for cooking purposes or within an interior or exterior fireplace designed to

Notice of Preparation Comments

CPCN SEMPRA Communications to Institute a Telecommunications Program

Page 2 of 3

prevent the dispersal of burning embers.” Is a storage tank for fuel considered unsafe and/or hazardous?

6. Staging areas: The information presented is vague. As noted above, additional information is needed as to if any proposed staging areas fall within AVCA owned property. If so, what will the staging areas consist of and what will the impacts be to AVCA members.
7. Facility Operation and Maintenance: This area discusses their use of Best Management Practices (BMP) for erosion and sediment control measures. In light of the watershed issues, should the proposed project locations fall on AVCA property, would AVCA be liable for any non-compliance of contractors performing work on AVCA property. *AVCA has been cited for ARB's non-compliance of proper controls in Aliso Canyon Community Park due to AVCA being the property owner.* If so, guidelines need to be established to protect AVCA from any potential liability.
8. Land Use/Agricultural Resources: Depending on whether or not the proposed project is under the current SCE transmission lines, this project may fall within mitigation areas and be subject to the requirements of California Fish and Game.
9. Air Quality: While this is not an air quality issue, the under this description it is noted that the project will involve the use of various types of heavy equipment such as backhoes, ditching machines, etc. If the proposed locations are within the SCE transmission lines, AVCA has irrigation along most of the SCE easement areas and would want to assure that its irrigation is protected in place.
10. Hazards and Hazardous Materials: Pursuant to Article X, Section 10.11 of the AVCA CC&R's, “No activities shall be conducted on any portion of the Subject Property, and no Improvements shall be constructed on any Lot which are or might be unsafe or hazardous to any Person or property. Without limiting the generality of the foregoing, no firearms shall be discharged on the Subject Property and no open fires shall be lighted or permitted on the Subject Property except in a contained barbecue unit while attended and in use for cooking purposes or within an interior or exterior fireplace designed to prevent the dispersal of burning embers.” Is a storage tank for fuel considered unsafe and/or hazardous?
11. Hydrology and Water Quality: If the location of the proposed project falls within areas AVCA owns/maintains, we should be insured that AVCA would not be liable for any impacts the project proposed by SEMPRA would have on the local watershed. In lieu of all the concerns and regulations recently passed by the San Diego Regional Water Quality Control Board (SDRWQCB) it

Notice of Preparation Comments

CPCN SEMPRA Communications to Institute a Telecommunications Program

Page 3 of 3

appears that the proposed project may violate the best management practices outlined by SDRWQCB.

12. Noise: Depending on where the proposed project will be located, the potential for an increase in ambient noise levels could be substantial. Most of Aliso Viejo is built out and the proposed project will involve the use of various types of heavy equipment such as backhoes, ditching machines, etc. As such, local residents will be impacted by construction noise, dirt and debris. Additionally, a potential for disturbance from the proposed generators may exist to adjacent residents depending on where the proposed project is to be located.
13. Utilities and Service Systems: The Notice of Preparation notes that the project may cause disruption to utility services (e.g., water, sewer, etc.). Any disruption could significantly impact AVCA due to water windows established by the Moulton Niguel Water District for irrigating the Association's twenty parks and multitude of landscaped slopes, medians, greenbelts, etc. Additionally, to avoid damage to plant material it is imperative that it irrigated appropriately.
14. Recreation: The Notice of Preparation states that the potential exists from the fiber optic cable installation to affect recreational facilities during construction. The project areas include networks of regionally, county and local parks and trails. Since AVCA owns all but one park in Aliso Viejo, the potential impact to the Association and its 40,000+ members could be significant. Coordination, approval and advance notice must occur if said private property of AVCA is to be impacted.



Town of Atherton

Town Administrative Offices
91 Ashfield Road
Atherton, California 94027
650-752-0500
Fax 650-688-6528

May 19, 2002

Mr. John Boccio
CPUC Environmental Project Manager
C/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Dear Mr. Boccio,

This letter concerns the Notice of Preparation for a Program EIR for Sempra Communications for a telecommunications development program through 15 counties in Northern and Southern California. We note that the Town of Atherton in San Mateo County is listed among those counties and municipalities that are part of the Sempra Communications Project Area. We request that the following items be addressed in the EIR or considered when defining the actual project:

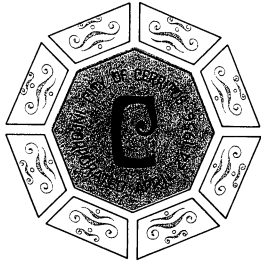
1. Please identify the precise route and location of telecommunication facilities to be constructed or installed through the Town of Atherton.
2. Please identify the installation method (i.e. located on overhead utility structures or underground ducts) for transmission facilities through Atherton.
3. Identify the location of any aboveground equipment stations to be located in the Town of Atherton.
4. Please note if existing facilities can be used in lieu of construction or installation of new facilities.
5. Please note that Middlefield Road, a minor arterial running generally north/south through the Town of Atherton has been recently reconstructed and the City Engineer advises that there is no room for additional telecommunications facilities in this corridor.

Thank you for your consideration of these matters.

Very Truly Yours,

Neal J. Martin
Neal J. Martin, City Planner

cc: James H. Robinson, City Manager
Cliff Temps, City Engineer
Lisa Costa Sanders, Senior Planner



CITY OF CERRITOS

CIVIC CENTER • 18125 BLOOMFIELD AVENUE
P.O. BOX 3130 • CERRITOS, CALIFORNIA 90703-3130
PHONE: (562) 860-0311 • FAX: (562) 916-1237
WWW.CI.CERRITOS.CA.US

May 10, 2002

Mr. John Boccio
CPUC Environmental Project Manager
C/O Environmental Science Associates
436 14th Street
Suite 600
Oakland, CA 94612

**SUBJECT: CPUC Notice of Preparation of a Program Environmental Impact
Report for Sempra Communications, Application No. 00-02-020**

Dear Mr. Boccio:

The City of Cerritos is in receipt of the above-mentioned notice of preparation for a program environmental impact report. The City's comments regarding Sempra Communications proposed project are contained herein.

The City would like additional details related to facilities and infrastructure needed for this project addressed in the final environmental report. These facilities include signal regenerator and OP-AMP stations as well as manholes, hand-holes and other assist points. City staff would also like to know the specific locations of where these facilities will be installed within the City of Cerritos, whether in the public right-of-way or on private property.

The City of Cerritos maintains strict development standards governing the aesthetic appearance of homes, businesses and related facilities. The regeneration and OP-AMP stations described in the notice of preparation do not meet current City standards as proposed by Sempra Communications. The City requires that all new construction receive approval from the Community Development Department prior to start of construction. This policy applies to regeneration and OP-AMP stations.

The EIR should discuss how the applicant proposes to comply with local regulations and permit processes, including subsequent environmental review by each local agency. Because this EIR will be a Program EIR, which as stated in the NOP, does not focus on a specific project or projects, the EIR should discuss the likely future environmental analysis done on a project-by-project level. In addition, the NOP indicates that the applicant proposes to install project facilities without further authorization from the CPUC when conditions do not require installation within

biologically or culturally sensitive areas or areas of known contamination. The EIR should identify the authority that will determine the conditions on a project-by-project basis, and the likely future environmental analysis of these conditions on a project-by-project basis.

I hope that this information has been useful and should you have any questions, please do not hesitate to contact me at (562) 916-1201.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis T. Davis", written over a horizontal line.

Dennis T. Davis, Assistant City Manager/
Community Development

EUNICE M. ULLOA
Mayor

EARL C. ELROD
Mayor Pro Tem



GLENN DUNCAN
TOM HAUGHEY
DENNIS YATES
Council Members

GLEN ROJAS
City Manager

CITY of CHINO

May 22, 2002

Mr. John Boccio
CPUC Environmental Project Manager
C/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Subject: NOP for Sempra Communications Application No. 00-02-020

Dear Mr. Boccio:

Thank you for providing the City of Chino an opportunity to review and comment on the Notice of Preparation (NOP) to prepare a Draft Program Environmental Impact Report (Draft PEIR) to install and replace fiber-optic cables that would consist of both underground and aboveground facilities.

Based upon staff's review of the NOP, the City of Chino would like to comment on the following items:

Project facilities/Aesthetics:

According to pages 4 and 5 of "project facilities," Sempra Communications might construct one to eight, 12-foot by 30-foot prefabricated regenerator/OP-AMP stations to house electrical equipments and to boost optical signals.

The City of Chino would like an opportunity to review the design, layout, and site planning of the station(s), and to suggest alternative solutions to minimize the visual impacts of the pre-fabricated stations to the surrounding developments. Solutions that might be considered are vaulting the facility, altering the architectural design, and reducing the square footage.

Fiber-optic Installation Methods:

Three different types of fiber-optic cable installations are proposed which consist of installing fiber-optic cables on tower structures, wood utility poles, and underground ducting. The City requests that all replacement fiber-optic installations be underground.



Mr. John Boccio

Page 2

May 22, 2002

Equipment Access Through Sensitive Resources:

The California Public Utilities Commission (CPUC) should indicate the process and procedures for local cities to comment on fiber-optic installations through areas of sensitive agricultural, biological, cultural, or geological resources.

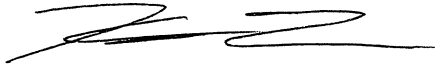
Commenting Period:

The document does not provide a "commenting period" for local cities to review and comment on projects requiring additional environmental review. The City requests that the CPUC provide affected local agencies at least 30 days notice to comment.

The City of Chino appreciates this opportunity to comment on the NOP and will look forward to working with you when a Draft PEIR is prepared.

If you have any questions, please feel free to contact me at (909) 591-9865.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Phung', with a horizontal line extending to the right.

Kenneth Phung
Associate Planner

cc: Johanna Evans, Regulatory Compliance Specialist
Chuck Coe, Community Development Director
Brent Arnold, Principal Planner



PLANNING AND BUILDING DEPARTMENT

May 10, 2002

Mr. John Boccio, CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Subject: Notice of Preparation of a Program EIR, Sempra Communications
Telecommunications Development Program

Dear Mr. Boccio:

The City of Chula Vista Planning and Building Department is in receipt of the Notice of Preparation of a Program EIR for a Certificate of Public Convenience and Necessity for Sempra Communications to implement a Telecommunications Development Program. The City of Chula Vista has no comments on the proposed scope of work; we look forward to receiving and reviewing the draft Program EIR. If you should have any questions regarding environmental resources or issues within the City of Chula Vista, please contact Paul Hellman, Environmental Projects Manager, at (619) 585-5680.

Sincerely,

Marilyn R.F. Pongeggi
Environmental Review Coordinator

City of Clayton

From: Jeremy [jgraves@ci.clayton.ca.us]
Sent: Friday, April 26, 2002 1:59 PM
To: jevans@esassoc.com
Subject: Sempra Communications NOP

John Boccio-

Are any portions of the Sempra Communications project proposed within the city limits of Clayton in central Contra Costa County?

Jeremy Graves, AICP
Community Development Director
City of Clayton
jgraves@ci.clayton.ca.us
6000 Heritage Trail
Clayton, CA 94517
925/673-7343



City of Clovis
Department of Planning and Development Services
CITY HALL · 1033 FIFTH STREET · CLOVIS, CA 93612

May 2, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Subject: NOP – Program EIR for a Certificate of Public Convenience and Necessity for Semptra Communications to Institute a Telecommunications Development Program for Future Proposed Actions within the Identified Project Area in Fifteen Counties. Application No. 00-02-020

Dear Mr. Boccio,

The City of Clovis has received a Notice of Preparation for a Program Environmental Impact Report for the project described above. The City's comments are summarized below.

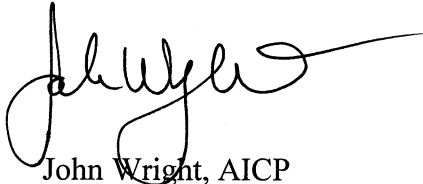
- The City is concerned with potential traffic impacts that could occur as a result of the project and the tiered projects that will follow. The project description mentions possible traffic impacts arising from cable *installation*; the City is also interested in the traffic impacts that may occur as a result of cable *maintenance* and/or replacement in the future. The PEIR should address these issues and provide mitigation measures should a significant traffic impact be identified (e.g. full or partial street closures) that will occur as a result of expected or possible future maintenance.
- The project description calls for the installation of regenerator and OP-AMP stations, which, in certain situations, will be equipped with diesel generators and/or battery banks. The San Joaquin Valley has recently been downgraded to extreme non-compliance with federal air quality regulations. The use of large generators over extended periods of time could potentially contribute significantly to an existing harmful situation.

The PEIR should comment on the type and size of generators to be used at the proposed facilities. The PEIR should also denote in what situations and to what lengths of time such generators could be used, as these factors will determine the extent of environmental impact.

Furthermore, the placement of the proposed generators could have impacts on sensitive noise receptors if located in proximity to certain land uses (e.g. schools or residences). The PEIR should comment on potential noise impacts associated with generator use as these impacts may directly affect the residents of Clovis.

The City thanks you for the opportunity to provide comment for this Notice of Preparation. Should you have any questions regarding this letter, please do not hesitate to call me at (559) 297-2340.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Wright', with a long, sweeping horizontal line extending to the right.

John Wright, AICP
Planning and Development Services Director



OFFICE OF:City Manager

(909) 736-2370
(909) 736-2493 FAX

815 WEST SIXTH STREET, P.O. BOX 940, CORONA, CALIFORNIA 92878-0940
www.ci.corona.ca.us

VIA FAX AND US MAIL

May 20, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Re: Sempra Communications NOP
Application No. 00-0-020

Dear Mr. Boccio

Thank you for the opportunity to review the above referenced Notice of Preparation. The NOP identifies the various general environmental issues that are typically analyzed in an Environmental Impact Report or initial study. In the brief overview of the potential project impacts, however, the NOP fails to mention the potential impacts that may be created if the project conflicts with local ordinances, regulations, or plans. It is our request that the CPUC include a mitigation measure that requires the project to comply with all local ordinances, regulations, and plans.

More specifically, the City of Corona offers the following comments:

1. The City is in the process of developing a Telecommunications Master Plan. Any plans of SEMPRA should be consistent with the provisions of the plan, including its route in and through the City and the exact location of any facilities within the rights-of-way.
2. The proposed project shall comply with the City's local ordinance requiring a rights-of-way Agreement for any facilities that are constructed in the ROW, and the project must comply with the time, place, and manner restrictions established in the agreement, including under grounding and relocation requirements. Given the limited space available to house various utility lines, the route selection will likely be based on the roadway capacity and the least amount of interference with any other uses.

3. The proposed project shall comply with any and all reasonable construction and development standards required by the City.
4. The type, location, and height of any proposed above ground structures is subject to the review and approval of the City Planning Department and subject to the City's Telecommunications Ordinance.
5. The proposed regenerator/OP-AMP stations (the 12x30 foot buildings discussed on page 5 of the NOP) will not be located within the rights-of-way. The location, construction, and operation of such facilities are subject to full compliance with all the City's land use and development ordinances, regulations, and standards.

The City of Corona respectfully requests that it be provided a copy of the Draft PEIR and detailed site exhibits. This will reveal more about the project and the type of mitigation that is being proposed.

Again, thank you for the opportunity to submit these comments. Should you have additional questions, please contact Laura Manchester at (909) 208-2650.

Sincerely,



Beth Groves
Deputy City Manager

c: Peggy Temple, Planning Manager
Ati Eskandari, Senior Associate Engineer
Don Williams, Utilities Administration Manager
Laura Manchester, Special Project Consultant



CITY OF CORONADO
COMMUNITY DEVELOPMENT

1825 STRAND WAY
CORONADO, CALIFORNIA 92118
E-MAIL: COMDEV@CORONADO.CA.US

May 9, 2002

CITY HALL
PHONE: (619) 522-7326
FAX: (619) 435-6009

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 Fourteenth Street, Suite 600
Oakland, CA 94612

Dear Mr. Boccio:

I appreciate this opportunity to comment on behalf of the City of Coronado on your Notice of Preparation for your Program Environmental Impact Report addressing a Certificate of Public Convenience and Necessity for Semptra Communications to Institute a Telecommunications Development Program. Your NOP should address the fiscal, financial and convenience impacts to cities such as Coronado and their residents. For example:

1. How would installing a fiber optic cable above ground increase the cost to cities and the public of the subsequent undergrounding of utilities?
2. How much disruption of public or private property (and resulting cost) is likely through the use of Semptra underground easements for establishment of the new system?
3. How much will the new system shorten the economic life of existing public infrastructure (due to trenching, etc.), how costly will this be to cities, and how will this cost be addressed by Semptra?
4. Will the establishment of the new system ultimately restrict competition and thereby increase costs to cities and private property owners?

I know that your objective is to develop a Program EIR that adequately addresses the requirements of CEQA. Certainly you intend to address those long-term cumulative impacts such as those detailed above that would be of lasting concern to the taxpayer and property owner. Please feel free to contact Senior Planner Ed Kleeman at (619) 522-7329 if you have any questions concerning the City's comments.

Sincerely,

Tony Peña, Director of Community Development



City of Fontana CALIFORNIA

May 28, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: NOTICE OF PREPARATION – CPCN FOR SEMPRA
COMMUNICATIONS TO INSTITUTE A TELECOMMUNICATIONS
PROGRAM

Dear Mr. Boccio:

The City of Fontana is in receipt of the above reference document, (see attached). The city favors the installation of communication facilities that blend well into the community fabric and that ensures a good level of communications.

The City of Fontana appreciates the opportunity of commenting on this Notice of Preparation and respectfully requests a copy of the Draft Environmental Impact Report (D.E.I.R.) be mailed to us when the document becomes available.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

Debbie M. Brazill
Deputy Community Development Director

DMB/mm



May 17, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Mayor
Richard T. Dixon

Mayor Pro Tem
Peter Herzog

Council Members
Kathryn McCullough
Marcia Rudolph
Helen Wilson

City Manager
Robert C. Dunek

RE: NOP for a Program Environmental Impact Report for a Certificate of Public Convenience and Necessity for Semptra Communications to Institute a Telecommunications Development Program for Future Proposed Actions within the Identified Project Area in Fifteen Counties (Application No. 00-02-020)

Dear Mr. Boccio,

Thank you for the opportunity to comment on the NOP for the above-referenced project. The City of Lake Forest has the following comments.

1. The City of Lake Forest includes the areas of Portola Hills and Foothill Ranch. The City is interested in reviewing the potential environmental impacts associated with installations within those communities and surrounding cities.
2. The PEIR should include specific locations for cable installation and regenerator facilities to allow a thorough review of potential impacts. A broadly defined project does not allow for the proper level of review.
3. The PEIR should include a list of the permits required to construct the project. Permits from the City of Lake Forest would include, but are not limited to, encroachment permits for work within the public right-of-way, site development permits for regenerator facilities, building permits, and compliance with the local NPDES requirements.
4. The PEIR should include analysis of the visual impacts associated with all above-ground facilities proposed, including overhead utilities and regenerator facilities.
5. The PEIR should include analysis of potential utility disruptions associated with the projects installation methods and should include appropriate mitigation for those impacts.



Mr. John Boccio
May 17, 2002
Page 2

Please send a copy of the Draft PEIR to me at the address listed below.

Gayle Ackerman, AICP
Development Services Director
City of Lake Forest
23161 Lake Center Drive, Suite 100
Lake Forest, CA 92630

Sincerely,

A handwritten signature in cursive script that reads "Gayle Ackerman". The signature is written in dark ink and is positioned above the printed name and title.

Gayle Ackerman, AICP
Development Services Director

City of La Mirada

From: Steve Forster [sforster@cityoflamirada.org]

Sent: Friday, April 26, 2002 10:48 AM

To: jevans@esassoc.com

Subject: NOP for Semptra

To Whom It May Concern, Is there going to be a public meeting on the Semptra NOP? Please provide the time, date, and location. Thank You.

Steve Forster

Director of Public Works

City of La Mirada

562 902 2371

sforster@cityoflamirada.org

City of Loma Linda

-----Original Message-----

From: Woldruff, Deborah [mailto:dwoldruff@ci.loma-linda.ca.us]
Sent: Friday, May 10, 2002 4:48 PM
To: 'jevans@esassoc.com'
Cc: Halloway, Dennis; Ludi, Lori; Thaipejr, Jarb; Arreola, Lynette
Subject: Notice of Preparation (NOP) of an EIR for Sempra Communications
- Application No. 00-02-020

To J. Evans:
10, 2002

May

Thank you for the opportunity to review the above referenced NOP. Because the City of Loma Linda is identified as a project area in the County of San Bernardino, the City requests the opportunity to review the Notice of Completion and Availability, and the Draft EIR. There was some mention of overhead lines and facilities and we are very concerned about adding to existing facilities or construction of new facilities. At this time, we are working toward having all of our above ground Edison, cable, telephone lines and other similar facilities undergrounded. We are also concerned about the location of construction staging facilities within the City's limits.

Please feel free to contact me at (909) 799-2833 or via response to this email.

Sincerely,
Deborah Woldruff, AICP
Community Development Director
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354

(909) 799-2833 or 2830
(909) 799-2894 faximile

dwoldruff@ci.loma-linda.ca.us

-----Original Message-----

From: Gerry_Felgemaker@ci.long-beach.ca.us [mailto:Gerry_Felgemaker@ci.long-beach.ca.us]

Sent: Tuesday, April 30, 2002 10:55 AM

To: jevans@esassoc.com

Subject: NOP Sempra Communications

Thank you for the opportunity to review the Notice of Preparation.

We, in the city of Long Beach are concerned about the potential impacts the proposal will have on traffic and our street system, aesthetics and potential impacts to our parks.

Traffic and the Long Beach Street System

Installation will likely require excavation permits from the Long Beach Public Works Department. Installation should be coordinated with the Department of Public Works street Improvement Plan so that installation occurs before street resurfacing.

Installation has the potential to substantially impact traffic and parking for both commercial and residential uses. The program EIR should include programmatic mitigation measures to reduce impacts to a level of insignificance.

Aesthetics

Installation of overhead cable will substantially degrade already visually blighted areas and reduce the aesthetics of areas which currently are not impacted. Further the regenerator stations as described are visually inappropriate for the Long Beach urban environment.

The draft EIR must include mitigation to bring the system into conformance with the existing visual environment.

Recreation

Neither our Land Use Element nor our Draft Open Space and Recreation Element permit regenerator stations in our parks. Generally, our parks do not contain overhead wires or cables. The EIR must address likely potential impacts and methods for reducing the impacts to a less than significant level.

We would appreciate receiving a complete copy of the draft EIR.

Sincerely,

Gerhardt H. Felgemaker
Environmental Officer



TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
PHONE (408) 354-6872 FAX (408) 354-7593

CIVIC CENTER
110 E. MAIN STREET
P.O. Box 949
LOS GATOS, CA 95031

May 17, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: Notice of Preparation of PEIR

Dear Mr. Boccio:

The Town of Los Gatos has received the Notice of Preparation and has reviewed the report. The Town does not have any comment on the NOP at this time. Please notify the Town of any changes, addendums, or additions to the report prior to adoption.

If you have any questions, please contact Steve Lynch, Assistant Planner, at 399-5702.

Sincerely,

Bud Lortz, AICP
Director of Community Development

BNL:SL:mdc

N:\DEV\LYNCH\OTHER\Managers Assign\PEIR Letter.wpd





City Hall 1400 Highland Avenue Manhattan Beach, CA 90266-4795
Telephone (310) 802-5500 FAX (310) 802-5501

May 22, 2002

M. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: Notice of Preparation (NOP)- Sempra Telecommunications Development Program- Application
No. 00-02-020

Dear Mr. Boccio,

The City of Manhattan Beach Community Development Department appreciates the opportunity to provide comments on the NOP for the Sempra Telecommunications Development. We have the following specific comments:

1. Depending on the location and the project description the proposed facility may require the issuance of a Use Permit, Coastal Development Permit, Encroachment Permit, and/or other required permits. Conformance with all of our required local ordinances, regulations, and standards will be required.
2. A franchise agreement and associated fees may be required if facilities are located in the public right-of-way.
3. Construction impacts related to traffic, circulation, parking, noise, air quality, aesthetics, and other related impacts need to be evaluated and mitigated to a level of insignificance. Many of our streets and intersections currently operate at Level of Service "E" or "F" and these impacts need to be carefully evaluated and mitigated.
4. Public notification and meetings located in or near Manhattan Beach should be provided.
5. The City of Manhattan Beach is in the process of beginning to underground utilities in many areas of the City. If above ground lines are proposed, the cost for undergrounding these utilities in the future should be borne by Sempra, not the residents/businesses within the undergrounding district.

Thank you for your consideration and we look forward to receiving the Draft EIR. Should you have any questions please feel free to contact me at (310)-802-5510 or at my e-mail address, ljester@city.mb.info.

Sincerely,

Laurie B. Jester
Senior Planner

Xc: Richard Thompson, Director of Community Development
Neil Miller, Public Works Director
Erik Zandvielt, Traffic Engineer
Robert Wadden, City Attorney

H:\Misc Correspondance\Sempra Telecommunications NOP 5-22-02.doc

Fire Department Address: 400 15th Street, Manhattan Beach, CA 90266 FAX (310) 802-5201
Police Department Address: 420 15th Street, Manhattan Beach, CA 90266 FAX (310) 802-5107
Public Works Department Address: 3621 Bell Avenue, Manhattan Beach, CA 90266 FAX (310) 802-5301

CITY COUNCIL:
TEL 650.858.3380
FAX 650.328.7935

STEPHEN M. SCHMIDT
MAYOR

CHARLES M. KINNEY
MAYOR PRO TEM

MARY JO BORAK
COUNCILMEMBER

PAUL J. COLLACCHI
COUNCILMEMBER

NICHOLAS P. JELLINS
COUNCILMEMBER



701 LAUREL STREET, MENLO PARK, CA 94025-3483
www.menlopark.org

May 16, 2002

ADMINISTRATION:

City Manager's Office
TEL 650.858.3360
FAX 650.328.7935

City Clerk
TEL 650.858.3381
FAX 650.328.7935

Finance
TEL 650.858.3443
FAX 650.327.5391

Personnel
TEL 650.858.3370
FAX 650.327.5382

COMMUNITY DEVELOPMENT:

Building
TEL 650.858.3390
FAX 650.327.5403

Environmental
TEL 650.858.3411
FAX 650.327.5497

Planning
TEL 650.858.3400
FAX 650.327.5497

Transportation
TEL 650.858.3363
FAX 650.327.5497

HOUSING & REDEVELOPMENT:
TEL 650.858.3414
FAX 650.327.1759

LIBRARY:
TEL 650.858.3461
FAX 650.858.3466

PARKS & COMMUNITY SERVICES:
TEL 650.858.3470
FAX 650.324.1721

POLICE DEPARTMENT:
TEL 650.858.3300
FAX 650.327.4314

PUBLIC WORKS:

Engineering
TEL 650.858.3420
FAX 650.327.5497

Maintenance
TEL 650.858.3490
FAX 650.327.1953

Mr. John Boccio
CPUC Environmental Project Manager
C/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Dear Mr. Boccio:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for a Program Environmental Impact Report (PEIR) for a Certificate of Public Convenience for Sempra Communications' Telecommunications Development Program. As an affected party, the City of Menlo Park is looking forward to reviewing the PEIR and to further understanding the specific facilities planned in Menlo Park.

At this point, the City's areas of potential concern are as follows:

- The described project facilities include "regenerator and OP-AMP stations" that may be powered by a diesel generator. The NOP does not address the impact of the operation of these generators or their fuel storage in either the *Noise or Hazards and Hazardous Materials* sections.
- The *Transportation/Traffic* section addresses the impact of construction activities on traffic. The City of Menlo Park is also concerned about the future impact on traffic safety that might result from any degradation to the right-of-way due to trenching and other construction activities. Consequently the City expects that the project will fully restore all impacted rights-of-way after construction is completed.
- The *Aesthetics* section refers to the possible visual impact of the regenerator or OP-AMP stations on the existing setting. Also of concern are the addition of any new poles or structures for overhead wires and the introduction of wires in areas in which utilities have been moved underground.

Thank you for taking the City of Menlo Park's comments into consideration.

Sincerely,

Audrey Seymour
Assistant City Manager



CITY OF ORANGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

FAX (714) 744-7222

ADMINISTRATION
(714) 744-7240

PLANNING DIVISION
(714) 744-7220

BUILDING DIVISION
(714) 744-7200

May 15, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, California 94612

Dear Mr. Boccio,

Subject: Response to the Notice of Preparation for a Program EIR for a CPCN Allowing Sempra Communications to Implement a Telecommunications Program

The City of Orange (City) has received and reviewed the Notice of Preparation (NOP) for a Program Environmental Impact Report (PEIR) for the issuance of a Certificate of Public Convenience and Necessity (CPCN) to Sempra Communications. The California Public Utilities Commission (CPUC) would issue the CPCN allowing Sempra Communications to implement a Telecommunications Development Program in 15 counties throughout the State of California. The proposed project is the Telecommunications Development Program, which includes the installation of cable in underground conduit, on aboveground transmission line tower structures, and/or on overhead wooden utility poles. The program would also include construction of manholes, handholes, cable access points, regenerators, and electrical equipment storage facilities, as needed. The NOP has identified the City of Orange as a City that could be affected by the proposed project.

The Community Development Department has reviewed the NOP and determined that potential environmental issue areas are appropriately defined. The City expects that the PEIR and supporting technical studies will address the following issues, which are of particular concern in Orange.

1. The City is concerned about the aesthetic impact of aboveground communications facilities such as equipment shelters and transmission line tower structures. The

Mr. John Boccio

May 15, 2002

Page 2

visual impacts of such development should be evaluated as part of the PEIR, taking into consideration visual compatibility with the surrounding areas and local context.

2. The City is concerned about the exposure of our residents to noise levels in exceedance of our noise standards. The City's noise regulations allow daytime noise levels up to 55 dB in residential areas. The City requests that noise impacts resulting from Semptra's facilities (e.g. regenerator stations or equipment storage structures) be evaluated and mitigated as part of the environmental document. In addition, construction noise should be addressed with reference to standards established in the City's noise ordinance. A copy of the noise ordinance has been enclosed for your use.
3. The Old Towne Orange Historic District (District) is a federally listed historic resource and contains over 1,200 contributing structures. The District is generally bound by Walnut Street to the north, Cambridge Street to the east, La Veta Street to the south, and Batavia Street to the west. Any development within Old Towne Orange should be evaluated with reference to historic resources within the District, as well as the historical context of the area. In addition, the potential for archaeological resources should be evaluated and addressed appropriately if development involving underground conduit installation is undertaken within the City.
4. The City is concerned about temporary impacts to traffic and circulation during construction of the proposed communications facilities. Impacts such as lane closures, detours, and traffic delays resulting installation of underground conduit within the public right-of-way should be evaluated as part of the PEIR.

The City of Orange appreciates the opportunity to comment on the above-referenced project and looks forward to reviewing the Draft PEIR upon its completion. Please feel free to contact me at (714) 744-7220 should you have any questions.

Sincerely,



Karen Sully
Planning Manager
Community Development Department

Attachment: Orange Municipal Code, Chapter 8.24, Noise Control.

-----Original Message-----

From: Fong, Nancy [mailto:Nfong@ci.rancho-cucamonga.ca.us]

Sent: Tuesday, May 14, 2002 2:33 PM

To: 'jevans@esassoc.com'

Subject: NOP FOR SEMPRA COMMUNICATIONS - APPLICATION NO. 00-02-020

May 14, 2002

Mr. J Evans
Mr. J. Boccio
Environmental Sciences Associates
436 14th Street, Suite 600
Oakland, CA 94612

RE: Comments in response to NOP

Mr. Evans, Mr. Boccio:

The City appreciates the opportunity to comment on the Notice of Preparation for the proposed Program Environmental Impact Report. Here are our comments:

- The Planning Commission has adopted by Resolution 87-96 a policy to require all utility to be undergrounded. The City requests Semptra address this issue in the preparation of the Program EIR any overhead lines/cables will be underground within Rancho Cucamonga City limits.
- Any housing shelter (12 by 30 feet) for the re-generator within the City needs a Minor Development Review. Please contact the Planning Division regarding application and fees.

If you have questions regarding the City's comments, please feel free to call me at (909) 477-2750 or e-mail at nfong@ci.rancho-cucamonga.ca.us.

Nancy Fong, AICP
Senior Planner

Town of San Anselmo

-----Original Message-----

From: Tom Bell [mailto:tbell@midas.org]
Sent: Monday, May 06, 2002 8:59 AM
To: jevans@esassoc.com; rabi elias
Subject: NOP-Sempre Communications Ap#00-02-020

Dear Mr. Boccio:

I thank you for the opportunity to respond to your NOP.
The Town of San Anselmo is very sensitive to any potential noise and traffic impact within its jurisdiction. Therefore the Traffic and Noise impacts should be site specific with regard to staging areas, construction schedules, etc.

You should also be aware that an encroachment fee will be required and that there is a 5 year construction moratorium on newly paved roadways.



THE CITY OF SAN DIEGO

May 22, 2002

VIA FACSIMILE TO (510) 839-5825

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

SUBJECT: Notice of Preparation (NOP) of a Program Environmental Impact Report for a Certificate of Public Convenience and Necessity for Sempra Communications to Institute a Telecommunications Development Program for Future Proposed Actions within the Identified Project Area in Fifteen Counties. Application No. 00-02-020

Dear Mr. Boccio:

Thank you for the opportunity to review the NOP of a Program Environmental Impact Report for a Certificate of Public Convenience and Necessity for Sempra Communications to Institute a Telecommunications Development Program for Future Proposed Actions within the Identified Project Area in Fifteen Counties. Application No. 00-02-020. The review of this NOP by the City of San Diego has been coordinated by the Environmental Analysis Section of the Development Services Department.

MSCP

Due to the limited information provided within the NOP, it is difficult to determine if the project would be within the Multi-Habitat Planning Area (MHPA) of the City of San Diego's Multiple Species Conservation Program (MSCP). If the project would be within the MHPA boundary, please provide an analysis of the project's compatibility with the City's MSCP Subarea Plan, including a graphic of the MHPA boundary and any applicable MHPA Guidelines and Land Use Adjacency Guidelines. Additionally, please identify if the lead agency will need to obtain Third Party Beneficiary Status from the City of San Diego. All biological impacts within the City of San Diego should be identified, analyzed, and mitigated consistent with the City's Biology Guidelines.

Please direct questions regarding the MSCP comments to Brett Williams, Associate Planner, Planning Department at (619) 533-6300.

The City of San Diego Transportation Department and Environmental Analysis Section also reviewed the NOP and do not have any comments at this time. When the Draft EIR/EIS becomes available the City of San Diego would like request four copies of the document for review.



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155

Tel (619) 446-5460




Page 2

Mr. John Boccio, California Public Utilities Commission

May 22, 2002

The City of San Diego greatly appreciates the opportunity to provide our input. If you should have any questions regarding the above comments, please contact Michael VanBuskirk, Associate Planner, at (619) 446-5371.

Sincerely,


Lawrence C. Monserrate
Assistant Deputy Director

LM:mjv

cc: Michael VanBuskirk, Associate Planner, Development Services Department
Terri Bumgardner, Senior Planner, Development Services Department
Jeanne Krosch, Senior Planner, Planning Department
Brett Williams, Associate Planner, Planning Department
Alireza Sabouri, Associate Traffic Engineer, Development Services Department
City of San Diego Environmental Review and Comment File



CITY OF RANCHO SANTA MARGARITA

May 16, 2002

Mayor

James M. Thor

Mayor Pro Tempore

Gary Thompson

Council Members

Neil C. Blais

Carol Gamble

Christy Riley

Environmental Science Associates

Attn: John Boccio

436 14th Street, Suite 600

Oakland, CA 94612

RE: Notice of Preparation (NOP) for Program Environmental Impact
Report for Sempra Communications Application No. 00-02-020

Dear Mr. Boccio,

Thank you for the opportunity to comment on the Notice of Preparation for the Program EIR for Sempra Communications. It is our understanding that Sempra Communications is seeking authorization from the California Public Utilities Commission to operate as a full facilities-based local exchange and inter-exchange carrier in specific metropolitan areas in California.

The City of Rancho Santa Margarita has reviewed the Notice of Preparation and has the following comments:

1. **Aesthetics:** Sempra Communications will construct regenerator and OP-AMP stations to house the electrical equipment that reconstructs and boosts the optical signals. The EIR should provide photos or detail drawings of the regenerator stations and indicate the dimensions, type of materials used, colors, and architecture of the structure. Also indicate the type of fencing proposed around the perimeter of the station (i.e. chain link, solid wall etc.) All regenerator stations constructed in the City of Rancho Santa Margarita must comply with the City's design standards.
2. **Lighting:** Sempra Communications will install exterior lighting for each regenerator station. The EIR should indicate the illumination power of each light, the number of lights for each station, and provide a detail drawing of the light pole. The detail should depict the height, material, color, and architectural style of the light pole. All light poles must comply with the City's design standards.



CITY OF RANCHO SANTA MARGARITA

Mayor

James M. Thor

Mayor Pro Tempore

Gary Thompson

Council Members

Neil C. Blais

Carol Gamble

Christy Riley

3. Noise: The EIR will examine the noise from construction equipment on surrounding areas. It also should examine noise emitted from the regenerator stations and how the noise will be mitigated.
4. Maps: The City of Rancho Santa Margarita requests that the EIR include a map of the City that identifies where the proposed cable installations will be located and the potential environmental impacts. A separate map should be provided that indicates the proposed staging areas, access roads, stream crossings, and sensitive resources that may be affected by trucks and equipment.

Please include the City of Rancho Santa Margarita on your mailing list for review of future documents related to this project.

If you have any questions or concerns about our comments, please do not hesitate to call me at (949) 635-1816.

SINCERELY,

Kathleen Recker
Planning Director



Community Development Department

City of Tustin

300 Centennial Way
Tustin, CA 92780
714.573.3100

May 21, 2002

John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

SUBJECT: REVIEW OF NOP FOR FIBER OPTIC CABLE FACILITIES

Dear Mr. Boccio:

Thank you for the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report for proposed fiber optic cable facilities in urbanized areas within 15 California counties. The City of Tustin has identified the following issues that should be addressed in the Draft Program Environmental Impact Report.

1. The installation of telecommunication facilities within the City of Tustin is required to comply with the City's Telecommunications Ordinance, which is codified as Tustin City Code Sections 7700 et seq. The Tustin City Code may be found on the City of Tustin web site, www.tustinca.org.
2. The installation of aboveground utility facilities and accessory equipment within the City of Tustin is required to comply with the City's Above-ground Cabinet Ordinance, which is codified as Tustin City Code Sections 7260-7266.
3. Any proposed staging area for materials or equipment within the City may require the approval of a Temporary Use Permit.
4. The applicant will be required to provide a traffic management plan, prepared by a California licensed Civil or Traffic Engineer, to accommodate traffic flow around the work area and address any disruption to traffic as a result of construction activity.
5. The applicant will be required to acquire an encroachment permit from the City's Public Works Department for any work within the public right-of-way.
6. Because there is always a remote possibility of uncovering archaeological resources during excavation, the following measures should be taken to mitigate the potential for impacts to cultural resources:

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- a. The applicant shall contact the Native American Heritage Commission for a Sacred Lands File Check and a list of appropriate Native American contacts.
- b. The applicant shall require that in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:
 - (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The Orange County Coroner is contacted to determine that no investigation of the cause of death is required; and
 - (B) If the coroner determines the remains to be Native American:
 1. The applicant shall ask the coroner to contact the Native American Heritage Commission within 24 hours.
 2. The applicant shall ask the Native American Heritage Commission to identify the person or persons it believes to be the most likely descended from the deceased Native American.
 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.
 - (2) Where the following conditions occur, the landowner or his authorized representative shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
 - (B) The descendant identified fails to make a recommendation; or,

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- (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
- If historical or unique archaeological resources are accidentally discovered during construction and the find is determined to be an historical or unique archaeological resource, the applicant shall require as part of the construction contract that contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. Work may continue on other areas of the project site while historical or unique archaeological resource mitigation takes place.
7. The installation of aboveground utility facilities within the City of Tustin will require design review approval from the City of Tustin pursuant to Tustin City Code Section 9272.
8. Pursuant to Tustin City Code Section 7708c, The City of Tustin reserves the right to require that all telecommunications facilities be placed underground.

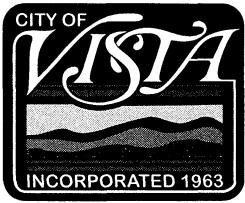
The City of Tustin appreciates the opportunity to provide comments on this project. I would appreciate receiving a copy of the Draft Program Environmental Impact Report when it becomes available. If you have any questions regarding the City's comments, please call me at (714) 573-3016 or Doug Anderson, Senior Project Manager, at (714) 573-3172.

Sincerely,



Scott Reekstin
Senior Planner

cc: Elizabeth Binsack
Tim Serlet
Dana Kasdan
Doug Anderson
Scott Reekstin



City of Vista

April 30, 2002

Mr. John Boccio
CPUC Environmental Project Manager
c/o Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

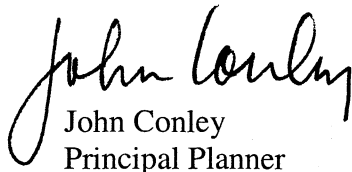
RE: Notice of Preparation - CPCN for Sempra Communications

Dear Mr. Boccio:

The City of Vista is requesting additional information on the types of above ground facilities that may be installed as part of the Sempra Communications CPCN project. The NOP states that "facilities...include manholes, handholes, and assist points that function as points of access to fiber optic cable." Would the project also include above ground vaults or utility boxes to serve the same purpose? We have general concerns over the aesthetics of such above ground facilities and the potential constraints that such facilities would have on public access within the City's right-of-way. In addition, staff has general concerns over the construction of regenerator or OP-AMP stations within the City. If any such above ground facilities are proposed within Vista, the City requests that the aesthetics and land use compatibility of such facilities be addressed in the Program EIR and that mitigation measures are imposed to ensure site plan and architectural review/approval from the City's Planning Division prior to installation.

Should you have any questions regarding the City of Vista's comments, please feel free to contact me at (760) 726-1340, ext. 1262.

Sincerely,


John Conley
Principal Planner



City of Westminster

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8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683
(714) 898-3311

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DON VESTAL
CITY MANAGER

May 23, 2002

Mr. John Boccio
CPUC Environmental Project Manager
C/O Environmental Science Associates
436 14th Street, Suite 600
Oakland, CA 94612

Subject: Notice of Preparation – Program Environmental Impact Report –
Sempra Communications – Application No. 00-02-020

Dear Mr. Boccio:

The City Of Westminster has been identified as a municipality in the Sempra Communications program project area for this Program Environmental Impact Report (PEIR). The City would like to submit a copy of it's Telecommunication Ordinance and Utility Excavation Standard as an issue to be considered in the draft PEIR.

If you have any questions regarding this matter, please call me at (714) 898-3311 x446 or e-mail me at rodia@ci.westminster.ca.us.

Sincerely,

Rodi Almendralo
Civil Engineering Associate